

ORDINANCE 21-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, CHANGING THE DATE OF THE CITY'S GENERAL MUNICIPAL ELECTION FROM THE FIRST TUESDAY AFTER THE FIRST MONDAY IN MARCH OF EVEN-NUMBERED YEARS TO THE DATE OF THE STATEWIDE PRIMARY ELECTION IN EVEN-NUMBERED YEARS IN RESPONSE TO SB 970, ADJUSTING TERMS IN OFFICE ACCORDINGLY, AND REPEALING ORDINANCE 17-18

WHEREAS, the City of Covina ("City") was required under Senate Bill 415, which is also known as the California Voter Participation Rights Act (Elections Code Sections 14050-14057), to change the date of the City's general municipal election to coincide with statewide election dates no later than the November 8, 2022, statewide general election; and

WHEREAS, in December 2017, the Covina City Council complied with Senate Bill 415 by adopting Ordinance 17-18 to consolidate the general municipal election with the statewide primaries to be held in March of even-numbered years beginning in 2020 pursuant to the provisions of the Elections Code; and

WHEREAS, in September 2020, after the City Council adopted Ordinance 17-18 as required, the California Legislature passed Senate Bill 970, which changed the date of the statewide primary to the first Tuesday after the first Monday in June of even-numbered years **without** a presidential primary, but kept the date of the statewide primary as the first Tuesday after the first Monday in March of even-numbered years **with** a presidential primary; and

WHEREAS, the Covina City Council will remain in compliance with Senate Bill 415 by changing the date of the general municipal election to the date of the statewide primary election of each even-numbered year, although this will result in a different election date depending on the year; and

WHEREAS, by changing the date of the general municipal election to the date of the statewide primary election to align with the California Legislature's recent amendments to the date of the statewide primary, it is necessary to extend the terms of incumbents that would have been scheduled for election in March 2022. The Legislature is currently considering Senate Bill 590, which would authorize the extension of these terms. The City Council supports Senate Bill 590 as a necessary legislative "fix" to a situation the Legislature created.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. ESTABLISHMENT OF ELECTION DAY. The City Council hereby cancels the March 8, 2022 City of Covina general municipal election and establishes the date of the statewide primary election in each even-numbered year as the date of the general municipal election in the City of Covina commencing with the June 2022 election.

SECTION 2. ADJUSTMENT TO TERMS OF OFFICE. The City Council hereby increases the terms of certain elected officials presently serving by three months as follows:

Elected official terms that were set to expire after the March 2022 general municipal election shall expire after the June 2022 general municipal election.

SECTION 3. OPERATIVE DATE. This ordinance shall not become operative until approved by the County Board of Supervisors pursuant to Elections Code Section 1301(b)(1).

SECTION 4. REPEAL OF ORDINANCE 17-18. The City Council hereby repeals Ordinance 17-18.

SECTION 5. NOTICE TO VOTERS. Pursuant to Elections Code Section 10403.5(e), within 30 days after the operative date of this Ordinance, the City Elections Official shall cause a notice to be mailed to registered voters of the City of Covina informing them of the change in the City of Covina general municipal election date and the increased terms of the current City of Covina elected officials whose terms of office would have been scheduled for election in March 2022 but are now scheduled for election on the date of the statewide primary election on the first Tuesday after the first Monday in June 2022.

SECTION 6. REQUEST TO THE COUNTY. The City Clerk shall forward a copy of this Ordinance to the County Elections Division and Clerk to the Board of Supervisors, together with the request that the Board of Supervisors approve this Ordinance and provide the City with notice of such approval.

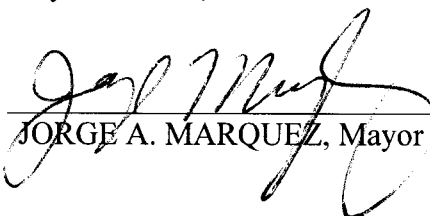
SECTION 7. SEVERABILITY. If any chapter, section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unenforceable by a court of competent jurisdiction, the remaining portions of this Ordinance shall nonetheless remain in full force and effect. The people of the City of Covina hereby declare that they would have adopted each section, subsection, sentence, clause, phrase, or portion of this Ordinance, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions of this Ordinance be declared invalid or unenforceable.

SECTION 8. PUBLICATION. The City Clerk shall cause this Ordinance to be published at least once in a newspaper of general circulation, published and circulated in the City within fifteen (15) days after its passage in accordance with Section 36933 of the Government Code, shall certify to the adoption of this Ordinance and shall cause this Ordinance and the City Clerk's certification, together with proof of publication, to be entered in the Book of Ordinances of the Council of this City.

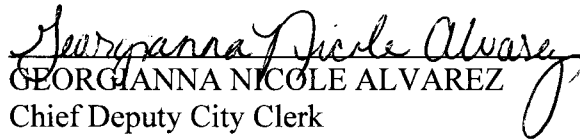
PASSED, APPROVED and ADOPTED this 18th day of May, 2021.

City of Covina, California

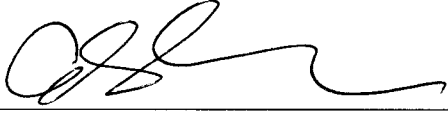
BY:


JORGE A. MARQUEZ, Mayor

ATTEST:


GEORGIANNA NICOLE ALVAREZ
Chief Deputy City Clerk

APPROVED AS TO FORM:


CANDICE K. LEE, City Attorney

CERTIFICATION

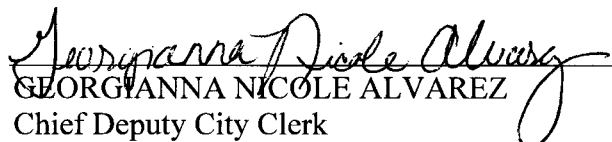
I, Georgianna Nicole Alvarez, Chief Deputy City Clerk of the City of Covina, do hereby certify that Ordinance 21-04 was introduced for first reading at a regular meeting on the 4th day of May, 2021, by the following vote:

AYES:	COUNCIL MEMBERS:	ALLEN, KING, CORTEZ, MARQUEZ
NOES:	COUNCIL MEMBERS:	NONE
ABSTAIN:	COUNCIL MEMBERS:	NONE
ABSENT:	COUNCIL MEMBERS:	LINARES

Thereafter, said Ordinance was duly approved and adopted at a regular meeting of said City Council on the 18th day of May, 2021, by the following vote:

AYES:	COUNCIL MEMBERS:	ALLEN, KING, LINARES, CORTEZ, MARQUEZ
NOES:	COUNCIL MEMBERS:	NONE
ABSTAIN:	COUNCIL MEMBERS:	NONE
ABSENT:	COUNCIL MEMBERS:	NONE

Dated: May 19, 2021


GEORGIANNA NICOLE ALVAREZ
Chief Deputy City Clerk